

The regular meeting of the Board of Trustees of the Village of Attica was held on October 20, 2015, at the Attica Village Hall. The meeting was called to order at 7:00 P.M.

**Members Present:**

The following members were present: Mayor William Lepsch, Trustees Sandy Prusak, Nathan Montford, and Ralph A Janes Jr.

**Others Present:**

Others present: Administrator Douglas Post, Police Chief Dean Hendershott, Officer Brian Marsceill, Gina Lepsch, Dana Blugus, Linda Blugus, Linda Tedford, Lynn Tedford, Carrie Snyder, John Perry, Donna Wickins, Christine Perry, Sharon Passomonte, Chris Van Son, Betsy Van Son, Adam Van Son, Tricia Walter, Janet Smart, Marshall Kelly, Gerry Cote, Fire Chief Terry Snyder, Colin Cooper, Hans & Pat Walker, Gordon Biehl, George Diehl, Zack Conlin, Aaron Elliott, Ron Frei, Roger Lamoureux and Jay Myers.

**Minutes and Claims Approved:**

**Motion** was made by Trustee Montford, seconded by Trustee Janes that the minutes of the regular meeting of September 15, 2015, and the special meeting of August 6, 2015 with the noted modification be approved as presented.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**Approve Transfers**

**Motion** was made by Trustee Prusak seconded by Trustee Janes, that the following transfers be approved;

\$2,634.37 from A3410.4R to A9710.7

\$15,000 from A3410.4R to A9710.6

\$2,170 from A4540.4R to A9710.7

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**Approve Claims**

**Motion** was made by Trustee Janes seconded by Trustee Montford, that the following claims be approved and the Clerk instructed to draw checks therefore:

General Fund claims in the amount of \$75,573.11 as set forth in Abstract #5

Water Fund claims in the amount of \$14,562.06 as set forth in Abstract #5

Sewer Fund claims in the amount of \$15,411.22 as set forth in Abstract #5

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

Fire Chief Snyder reported on the new radios and pagers. He discussed issues with the fire hall which were addressed.

Chris Van Son attended the meeting to review the status of some previously asked questions.

**Committee Reports:**

**Public Safety**- Police Chief Hendershott recommended Karl Zufall as a full time Police Officer. He discussed a prescription drug take back program. He also discussed how officer Zufall is our car seat technician and will be training others.

**Planning Board- none**

**DPW**-Mr. Post discussed the issues with the WWTP digester.

**Village Administrator**- Administrator Post submitted the Justice report. He also presented the treasurers report for September. He discussed the bids for the rehabilitation of the Tonawanda Creek retaining wall. He discussed the contract with Constellation Energy and Solar Energy.

**Old Business-**

**New Business-**

**2015-89 Halloween recognized**

**Motion** was made by Trustee Prusak, seconded by Trustee Montford that Halloween will be on Saturday, October 31, 2015 and the children will be out that night between 6:00 and 8:00 PM.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**2015-90 RESOLUTION DESIGNATING OFFICE TO BE FILLED AT NEXT VILLAGE ELECTION**

**Motion** was made by Trustee Janes seconded by Trustee Montford that the Village Board approves the following resolution:

WHEREAS the next general Village election for officers will be held on Wednesday, March 15, 2016, and

WHEREAS the Board of Trustees must designate by resolution and publish the offices which are to be filled in such election and the terms thereof,

NOW THEREFORE BE IT RESOLVED:

**Section 1.** That the Board of Trustees designates the following offices as vacant at the end of the current official year, to be filled at the Village election to be held on March 15, 2016, for the following terms.

Trustee -- Two years

Trustee -- Two years

**Section 2.** The Village Clerk is hereby directed to publish this resolution in full in the Batavia Daily News.

**Section 3.** The Village of Attica Board of Trustees pursuant to Chapter 217 of the Election Law of 1992 resolved on January 8, 1998 to abolish Registration Day in the Village of Attica. Only persons whose names are on the County registration lists will be allowed to vote in the Village election.

**Section 4.** This resolution shall take effect immediately.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**2015-91 Approve bank reconciliation report from treasurer for September 2015.**

**Motion** was made by Trustee Montford seconded by Trustee Janes that the Village approves the bank reconciliation report from the Treasurer for the month ending September 2015.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**2015-92 Snow contract with Wyoming County Highway**

**Motion** was made by Trustee Prusak, seconded by Trustee Janes that the Village board approves the 2016-2017 Snow contract with Wyoming County Highway.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**Parking permit request was tabled**

**Contract with Solar Liberty was tabled**

**2015-93 Approve the commodity contract with Constellation Energy**

**Motion** was made by Trustee Montford seconded by Trustee Prusak that the Village board approves the contract with Constellation to be out third party electricity supplier.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**2015-94 Appointment of Karl Zufall**

**Motion** was made by Trustee Montford seconded by Trustee Prusak that the Village board approves the appointment of Karl Zufall as a full time Police officer.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes no; Lepsch no.

**The motion** was declared and defeated.

**2015-95 Approve the contract with Nussbaumer & Clarke**

**Motion** was made by Trustee Janes seconded by Trustee Montford that the Village board approves the contract with Nussbaumer & Clarke, Inc. for the Engineering assessment of the Attica Dam structures.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**2015-96 Approve training for Justin Lane**

**Motion** was made by Trustee Janes seconded by Trustee Prusak that the Village board approves the attendance of Justin Lane at the pesticide training seminar on November 14 & 15 in Rochester. The cost of the training is \$235.00.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**2015-97 Approve training for Jay Stockholm and Tony Phelps**

**Motion** was made by Trustee Prusak seconded by Trustee Janes that the Village board approves the attendance of Jay Stockholm and Tony Phelps at the Niagara County Fire Training Center for a workshop that covers anaerobic digestion. The cost of the workshop is \$60 per person.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**2015-98 Approve NY contract bid for loader mount snow blower**

**Motion** was made by Trustee Janes seconded by Trustee Montford that the Village board approves the NY contract bid (Z&M Ag and Turf) for a loader mount snow blower for the WWTP. The NJPA number is PC66663 and the bid price totals \$11,352.55.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**2015-99 Approve low bid for rehabilitation of Tonawanda Creek retaining wall project**

**Motion** was made by Trustee Montford seconded by Trustee Prusak that the Village board approves the low bidder, Nichols, Long & Moore, for the rehabilitation of the Tonawanda Creek retaining wall project.

|                                  |                  |
|----------------------------------|------------------|
| <b>Nichols, Long &amp; Moore</b> | <b>\$56,149</b>  |
| <b>Keeler Construction</b>       | <b>\$68,750</b>  |
| <b>Nova Site Company</b>         | <b>\$78,900</b>  |
| <b>Redman Construction</b>       | <b>\$80,925</b>  |
| <b>T&amp;R Seasonal Services</b> | <b>\$103,123</b> |
| <b>H&amp;H Excavating</b>        | <b>\$180,900</b> |

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**Executive Session**

**Motion** was made by Trustee Prusak seconded by Trustee Montford to enter into Executive session at 8:10 PM to discuss legal and personal matters.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**Re-entered regular meeting at 9:46 pm**

**2015-100 Appointment of Karl Zufall**

**Motion** was made by Trustee Montford seconded by Trustee Prusak that the Village board approves the appointment of Karl Zufall as a full time Police officer.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes no; Lepsch no.

**The motion** was declared and defeated.

**2015-101 Legal opinion request**

**Motion** was made by Trustee Montford seconded by Trustee Prusak that the Village board approves the hiring of Mark Boyland to review a potential breach in an employment contract.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes no; Lepsch yes.

**The motion** was declared and defeated.

**Adjournment**

**Motion** was made to adjourn the meeting at 10:00 P.M. by Trustee Prusak seconded by Trustee Montford.

**On the call of the roll**, the vote was as follows: Prusak yes; Montford yes; Janes yes.

**The motion** was declared and carried.

**Douglas A. Post  
Administrator, Village of Attica**